

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

REGINA CONTURSI MACHADO DA
SILVEIRA,

Plaintiff,

-against-

NEW YORK CITY DEPARTMENT OF
EDUCATION; PRINCIPAL MELATINA
HERNANDEZ, PS 123 MAHALIA JACKSON
SCHOOL,

Defendants.

21-CV-9117 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff brings this action *pro se*. The Court dismisses the complaint for the following reasons.

Plaintiff has previously submitted to this Court an identical complaint against Defendants, in which she asserts the same claims. That case is presently pending before Judge Analisa Torres under docket number 1:21-CV-9160 (AT). As this complaint raises the same claims, no useful purpose would be served by litigating this duplicate lawsuit. Therefore, this complaint is dismissed without prejudice to Plaintiff's pending case under docket number 1:21-CV-9160 (AT).

CONCLUSION

Plaintiff's complaint is dismissed as duplicative. The Clerk of Court is directed to terminate all other pending matters.

The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

The Clerk of Court is also directed to mail a copy of this order to Plaintiff and note service on the docket.

SO ORDERED.

Dated: November 19, 2021
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge